STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL
120 Broadway, New York, NY 10271

ELIOT SPITZER
Attorney General

THOMAS G. CONWAY
Assistant Attorney General In Charge
Consumer Frauds and Protection Bureau

212-416-8294

2006 NOV -3 AM 2:15

October 24, 2006

10173289

[redacted]
Peekskill, NY [redacted]

Our File Number: [redacted]
Company: 1999-2004 Jeep Grand Cherokee

Dear [redacted]

On behalf of Attorney General Eliot Spitzer, I am writing to notify you that we have received your correspondence.

We appreciate your alerting us to this matter. We believe the organization shown below may be able to assist you and we are forwarding your correspondence there.

If you do not receive a response in the near future, please follow up directly with that organization. I suggest you attach a copy of this letter or, if appropriate, mention that you are adding new information.

Thank you for contacting us.

Very truly yours,

Philip Gamma/cl

Philip Gamma
Bureau of Consumer Frauds
And Protection

cc: National Highway Traffic and Safety Administration
400 7th Street SW
Washington, DC 20590

Merin
11/3/06

Thelen Reid & Priest LLP
Attorneys At Law

101 Second Street, Suite 1800
San Francisco, CA 94105-3606
Tel. 415.371.1200
Fax 415.371.1211
www.thelenreid.com

F A X C O V E R P A G E

Date: October 20, 2006 **Total Pages:** 7
(including cover)

To: **Attorney General's office** **Fax:** **(212) 416-6003**
Phone:

From: [redacted] **Fax:**
Phone:
E-Mail: [redacted]

VIA FAX ONLY

Re

I am forwarding a copy of the letter I sent to DaimlerChrysler regarding a design flaw in the HVAC system of their 1999 - 2004 Jeep Grand Cherokees. I don't see how DaimlerChrysler can justify designing a flawed product, selling it to the public, and expect them to pay for repairing it. Although having no heat is not an immediate danger and doesn't warrant a recall in their opinion, they should repair this very common problem free of charge to it's customers. It is my expectation that Chrysler would not charge us for the service of this repair and/or provide comparable new vehicle purchase incentives, and except the vehicle as a trade-in even though it has this problem. This whole thing is only coming about because I don't feel comfortable lying about the problem and just trading in. My honesty should not cost me a $1,000 +

I can be reached via email at [redacted] or daytime phone [redacted] or night [redacted]

C [redacted]
Peekskill, NY [redacted]

In case of a problem with this transmission, please call the **Fax Operator a** [redacted]

JOB #	ATTORNEY #	CLIENT-MATTER	RETURN TO	ROOM #

E:\Santiago\Documents\HVACJeep\AGFaxCover.doc

October 20th, 2006

Daimler Chrysler Customer Center
P.O. Box 21-8004
Auburn Hills, Mi 48321-8004

To whom it may concern,

I am contacting you regarding a problem I am having with my 2002 Jeep Grand Cherokee Limited, VIN # 1J4GW58N72C[redacted] I recently lost heat in both zones of my dual climate control. Since my vehicle was no longer under warranty, I did some research and found that I was not alone in the exact problem I am having, it's quite common. So common that I easily found plenty of people with the exact same problem that were able to self-diagnose the problem using the Jeep's internal computer to output the system faults. Using the same method to enter the AZC self-diagnostic mode, the climate control display outputted the system fault codes 52-54-56. The cause of this code/problem is the exact same one that countless others I've been in communication with are experiencing due to the weak blend and recirculation doors in the HVAC systems. The doors are turned by a motor attached to the bottom of the door at the end of a hinge shaft. The motor stops turning when there is enough physical resistance from the door stopping against its housing. This puts stress on the shaft/door junction and over time strips the shaft so that it spins almost independently of the door. The motor then experiences little resistance and keeps turning, which sends the "travel too large" code. If you look up the codes 52-54-56 in the attached AZC fault codes list, you will see that the "travel too large" message is in each code. Since most of the consumers I've run into with this problem get that exact code, or have had the same problem diagnosed by a Jeep dealership service department, I already know that it will cost anywhere from $800 - $1000+ to be repaired, the majority of it being labor as the entire instrument panel assembly has to be removed.

To address this problem, Daimler-Chrysler released TSB 2400104 - NEW HVAC SUB-ASSEMBLY REPLACES BLEND OR RECIRC DOOR COMPONENTS. Each new sub-assembly consists of several individual components. The new sub-assemblies improve component reliability. It is recommended that the respective sub-assembly be installed if a blend air door(s), a recirculation door, a door link, or a sub-assembly housing requires replacement. These new parts cost less than $200 according to the bulletin, but I find it hard to believe that Daimler-Chrysler expects their customers to pick up the tab on a design flaw. Especially a design flaw that is so labor intensive that even though the parts are less than $200, the final bill will be in the $1,000 area. A job so consuming that it wouldn't be wise to have it serviced by anything but a Jeep service technician. Not to mention some repair shops won't even take on the job due to the time and possible accountability of such a project.

I called Daimler-Chrysler Customer Assistance at (800) 992-1997 on October 18th, 2006 at approx. 11:30 a.m. I was informed that at this time, there was no recall for that issue and any "assistance" sought would be considered on a "case by case" basis. But in order to even be

considered for "assistance", I would have to take it to a Jeep dealership to have them diagnose the issue. Croton Autopark for instance, charges $50 - $100 to diagnose the problem, which means before my problem is even addressed, I'm already out money for them to tell me what I already know. And I don't know it because I looked it up online and everybody has the same problem, I know it because the vehicle's internal computer told me the problem via the codes listed in my first paragraph. And in case you doubt my claim about how common this problem is, when I called to find out how much it would be to get a problem diagnosed, when I told him it was a problem with having no heat he knew what I was talking about and quoted me $1,100 - $1,200 to have it fixed. He said there might be some others things that can cause just cold air to blow out, but he was already expecting it was an issue with the blend doors and sub-assembly.

Unfortunately, Daimler-Chrysler customer assistance could give me no information on what any possible "assistance" would come in the form of. But to expect a customer to take time from their work day to go to the dealership, pay to find out what they already know without any kind of guarantee as to how they might help them is beyond ridiculous. What you're basically telling your educated customer is that, "Yeah, we messed this design up, but we were able to fix it. So why don't you come in, pay to find out what you already know, and then you can pay for our mistake as well. Thanks." If this wasn't such a common problem, or the result of abuse on my part, I would have nothing to say. But I used this vehicle's components as designed, and due to a design flaw, I am going to be left possibly paying over $1,000 so I can have a basic amenity such as heat.

Like most Jeep owners, this isn't my first Jeep. People that own Jeeps, are loyal customers, from the CJs and TJs up to the Commanders. My last 3 vehicles have been Jeeps and I had planned on moving to the Jeep Commander, but I'm not willing to act as if this problem doesn't exist. I started with the Wrangler SE, went to the Cherokee Sport, and now have a Grand Cherokee Limited with a sticker price of almost $37,000. Not to mention, after I got my Grand Cherokee I took my mother to the same dealership where I bought mine so she could get one. And trust me, the reason Croton Autopark had a sale that day was because I sold it to her, not due to the efforts of their sale staff. The reason why I sold her on it was because I wanted her to be in one of the best SUVs on the planet with a 4x4 system second-to-none. I am a loyal Jeep customer, not to mention a loyal Chrysler customer with 3 additional Chrysler vehicles' purchased between my wife and I. So in the past 10 years, just 3 people in my family have resulted in 7 Daimler-Chrysler vehicles.

It is my opinion that Daimler-Chrysler needs to do the right thing by it's customers. You shouldn't have to pay $1,000+ to repair one of their more high end vehicles for what is in reality a design flaw. The HVAC system of this vehicle was not designed correctly, and Daimler-Chrysler is expecting their customers, the people that buy their products, to literally pay for their mistakes. Honestly, I don't know how they put that HVAC system together, saw what was happening, and decided to release it without any modifications. Of course there eventually were modifications, but after that generation of vehicle had ended as the TSB was released in January 2004.

I can be reached via email at [redacted] or at [redacted] Peekskill, NY [redacted]

Thank you for consideration on this matter.

Sincerely,

[redacted]

AZC self-diagnostic mode:

1. To enter the self-diagnostic mode, depress the a/c and recirc buttons at the same time and hold. Rotate the left temperature control knob clockwise (CW) one detent.

2. If you continue to keep the a/c and recirc buttons depressed, the AZC control module will perform a Segment Test of the Vacuum Fluorescent (VF) display. In the Segment Test you should see all of the display segments illuminate as long as both buttons are held. If a display segment fails to illuminate, the vacuum fluorescent display is faulty and the a/c heater control must be replaced.

3. After viewing the Segment Test, release the A/C and Recirc buttons and the display will clear momentarily. If there are no fault codes, the "00" display value will remain in the VF window. Should there be any codes, each will be displayed for one second in ascending numerical sequence (note: no effort is made to display faults in the order they occurred). The left side set temperature display will be blanked and the right side set temperature display will indicate current and historical codes (8 historical max) presently active.

Once all codes have been displayed, the system will repeat the fault code numbers. This will continue until the left side set temperature control is moved at least one detent position in either direction, by pressing both the A/C and Recirc buttons at the same time, or the ignition is turned off. Record all of the fault codes, then see the Current and Historical Fault Code charts below for the descriptions.

AZC fault codes	
Input faults	01 = IR thermister circuit open 02 = IR thermister circuit shorted 03 = Fan pot shorted 04 = Fan pot open 05 = Mode pot shorted 06 = Mode pot open 07 = IR sensor delta too large 08 = Reserved 09 = Reserved 10 = One of four motor drivers has drive "A" shorted to ground 11 = Engine air intake temperature bus message missing 12 = Country code bus message missing
System faults	13 = Mode motor not responding 14 = AI (Recirc) motor not responding 15 = Left temperature door not responding 16 = Right temperature door not responding 17 = Mode door travel range too small 18 = Mode door travel range too large 19 = AI (Recirc) door travel too small 20 = AI (Recirc) door travel too large 21 = Left temperature door travel too small 22 = Left temperature door travel too large 23 = Right temperature door travel too small 24 = Right temperature door travel too large 25 = Calibration check sum error 26 = Engine coolant temp bus message missing 27 = Vehicle speed bus message missing 28 = Engine RPM bus message missing 29 = OAT bus message missing 30 = Display intensity bus message missing 31 = VIN number bus message missing 32 = Raw OAT buss message missing
Input faults	33 = IR thermister circuit was open 34 = IR thermister circuit was shorted 35 = Fan pot was shorted 36 = Fan pot was open 37 = Mode pot was shorted 38 = Mode pot was open 39 = IR sensor delta was too large

	40 = Reserved 41 = Reserved 42 = One of four motor drivers had drive 9A9 shorted to ground 43 = Engine air intake temperature bus message missing 44 = Country code buss message missing
System faults	45 = Mode motor was not responding 46 = AI (Recirc) motor was not responding 47 = Left temperature door was not responding 48 = Right temperature door was not responding 49 = Mode door travel range too small 50 = Mode door travel range too large 51 = AI (Recirc) door travel range too small 52 = AI (Recirc) door travel range too large 53 = Left temperature door travel too small 54 = Left temperature door travel too large 55 = Right temperature door travel too small 56 = Right temperature door travel too large 57 = Calibration check sum error 58 = Engine coolant temp bus message missing 59 = Vehicle speed bus message missing 60 = Engine RPM bus message missing 61 = OAT bus message missing 62 = Display intensity bus message missing 63 = VIN number bus message missing 64 = Raw OAT bus message was missing 65 = Reserved 66 = Reserved 67 = Reserved

i